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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF INDIA
MINISTRY OF FOOD AND AGRICULTURE
(Department of Food)

Notification

New Delhi, the 22nd October, 1964.
30th Asvina, 1886.

G. S. R. 1545 — In exercise of the powers conferred by sub-rule (2) of rule 125 of the Defence of India Rules, 1962, the Central Government hereby makes the following Order further to amend the Sugar (Control) Order, 1963, namely: —

1. This Order may be called the Sugar (Control) Third Amendment Order, 1964.

2. In the Sugar (Control) Order, 1963, for sub-clause (a) of clause 10, the following sub-clause shall be substituted, namely: —

«(a) inspect or authorise any person to inspect any books or other documents belonging to or under the control of a producer or recognised dealer;»

[No. 1(1)/63-S. Py]

K. L. PASRICHA

Joint Secretary to the Government of India.

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

ORDER

GAD/74/64/A572

Whereas a committee was appointed by the Order of Administrator no. GAD/74/64/21064, dated the 4-9-1964 to recommend to the Government the basis for the liquidation of Caixa,

Whereas the said Committee submitted its report suggesting the procedure to be followed in the liquidation,

And whereas the Government of Goa, Daman and Diu having accepted the recommendations of the said Committee orders that the liquidation of the «Caixa de Auxílios aos Empregados dos C. T. T.» should be proceeded by the Committee on the following basis:

1) that the assets of the said «Caixa» after deducting all the liabilities of the same shall be divided among the present active members as well as those who are receiving pensions and also the widows and the heirs of the deceased members entitled to receive pension;

2) that a detailed account shall be prepared of the entrance fee and monthly contribution (joias e quotas) paid to each member, whether active, entitled to pension (desligado) or receiving pension (pensionistas) or deceased;

3) that the active members who are now in service shall be entitled to receive in full all the amount of the entrance fee as well as monthly contribution (joias e quotas) paid by them;

4) that the members, who were relieved for retirement (desligado para aposentação), the pensioners and the heirs of the deceased members who might have received some amount of pension shall be entitled to receive the whole amount of the entrance and monthly contributions paid by them after deducting the amount of the pensions they have received so far;

5) that after making the payments above mentioned the remaining balance shall be divided among the members pensioners and heirs of deceased members in proportion to the amount of «joias» and «quotas» contributed by each one;

6) that the «Caixa» having already made payments of some pensions upto the end of January, 1964, shall pay the arrears of pensions upto the end of January, 1964;

7) that all the active members shall be asked to deposit their monthly contribution due upto the end of January, 1964 in one instalment within 15 days from the publication of this Order, failing which no amount shall be paid to them until such payment is made;

8) that the debts which are due from the members under the system known as «Declaração da dívida» shall not carry interest in case full payment is made within 15 days. The member shall be given the option to ask for adjustment of his debt with the moneys he is entitled to receive;

9) that the debts by bills of exchange in which any of the members is responsible for payment shall be paid within 15 days. The member shall be given the option to ask for the adjustment of these debts with the amounts to which he is entitled;

10) that in respect of cases mentioned at sub-
paras 4 and 5 no payment shall be made to the debtor member until the full amount of the debt has been cleared by him;

11) that the employees who had been members of the «Caixa» for more than 5 years and then joined other Departments were entitled to continue as members of the «Caixa» if they paid 50% more of their contributions. While making the calculation of the amount of their «joias» and «quotas» this extra 50% shall not be considered because this was an extra privilege granted to those who had left the Department;

12) that any fine paid by members because of their irregular payment of contributions shall not be considered for the purpose of the calculation of their amount of «joias» and «quotas»;

13) that the said Committee shall take charge of the assets of the «Caixa» with immediate effect from the present Managing Committee of the «Caixa»;

14) that for the work of the Committee, the members shall be entitled to «Honorarium» to be decided by the Committee. However, the total amount of the «Honorarium» during the liquidation shall not exceed Rs. 1,000/- per member. Such expenses will be debited to the assets of the «Caixa»;

15) that the Committee shall be entitled to recruit staff which may be necessary fixing the respective amount of the «Honorarium» to be paid to each person. The expenses in this connection shall also be met from the assets of the «Caixa»;

16) that the Committee shall complete the liquidation within a period of one year from the date of this order.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. B. Lall, Under Secretary General Administration Department.

Panjim, 20th November, 1964.

ORDER

PDD/MC/2432/64/31 855

The Government has decided to convert some of the posts of House Physician and House Surgeon into the posts of Junior Medical Officer in the following Departments of the Goa Medical College and therefore the posts created at Sl. No. 95, 103 and 111 in Government Order no. PDD/MC/14 dated 4th April 1964 are designated and the pay scales prescribed as under:—

Department of Medicine

Sl.No.	Designation	No. of posts	Pay Scale
95	House physician	4	Rs. 150/- p. m. (Hon.)
95A	Junior Medical Officer	4	Rs. 250-10-350

Department of Surgery

103	House Surgeon	5	Rs. 150/- p. m. (Hon.)
103A	Junior Medical Officer	3	Rs. 250-10-350

Department of Obstetrics & Gynaecology

111	House physician	5	Rs. 150/- p. m. (Hon.)
111A	Junior Medical Officer	5	Rs. 250-10-350

This issues with the concurrence of the Finance Secretary vide their U. O. no. FS/736-PD/64 dated 11th November 1964.

By order and in the name of the Administrator of Goa, Daman and Diu.

D. V. Savant, for Development Commissioner.

Panjim, 25th November, 1964.

ORDER

CS/DIR/64

In pursuance of sub-rule (4) of Rule 30 of the Defence of India Rules, 1962, the Administrator of the Union Territory of Goa, Daman and Diu hereby directs that any person in respect of whom an order under clause (b) of sub-rule (1) of the said rule is in force, shall be liable to be detained in any of the jails under the control of the Inspector General of Prisons, Goa, Daman and Diu, and under the same conditions as to the maintenance, discipline and the punishment of offence and breaches of discipline, as are applicable to the case of an under-trial prisoners on remand, unless otherwise directed in respect of any such person or class of persons.

By order and in the name of the Administrator of Goa, Daman and Diu.

B. K. Chougule
Chief Secretary

Panjim, 27th November, 1964.

Finance Department

The Contingency Fund of the Union Territory of Goa, Daman and Diu Rules

In exercise of the powers conferred by Section 4 of the Contingency Fund of the Union Territory of Goa, Daman and Diu Act, 1964 the Administrator hereby makes the following rules:—

1. These Rules may be called the Goa, Daman and Diu Contingency Fund Rules, 1964.

2. (i) No advance shall be made out of the Contingency Fund except for the purpose of meeting unforeseen expenditure, including expenditure of a new service not contemplated in the annual financial statement pending authorisation of such expenditure by the Legislative Assembly under appropriations made by law.

2. (ii) An application for advance from the Contingency Fund for the purposes aforesaid shall be made by the Secretary of the Administrative Department concerned to the Secretary of the Finance Department in triplicate in Form A appended to these rules. Such application shall be made at the time of referring the proposal for expenditure to the Finance Department for its scrutiny.

The application shall give:—

i) brief particulars of the additional expenditure involved,

- ii) the circumstances in which provision could not be included in the budget,
- iii) why its postponement is not possible,
- iv) the amount required to be advanced from the Fund with full cost for the proposal for the year, or part of the year, as the case may be, and
- v) the grant or appropriation under which supplementary provision will eventually have to be obtained.

3. The order sanctioning the advance shall be in Form B to these rules and shall be forwarded by the Finance Department to the Audit and Accounts Officers concerned together with a copy of the application.

Note 1 — When an advance is sanctioned from the Contingency Fund, the amount shall continue to remain physically a part of that Fund and shall not go out of it till it is actually withdrawn and spent on the specific purpose for which the advance is sanctioned.

Note 2 — The order authorizing an advance from the Contingency Fund shall not lapse with the close of the year but shall lapse as soon as the supplementary Appropriation Act incorporating the grants authorised by the Legislative Assembly in the session summoned after the advance is sanctioned is passed after having received the assent of the President unless it is cancelled as per rule 7 in the interval.

4. The Administrative Department concerned shall not issue any orders authorising expenditure out of the Contingency Fund unless advance from the Fund has been sanctioned by Government and a copy of the order sanctioning the advance has been forwarded to the Audit and Accounts Officer, under rule 3.

Note 1 — Where the expenditure on an item is to be met wholly out of the advance from the Contingency Fund, the following direction shall be added to the order sanctioning expenditure from the said Fund: —

«The expenditure should be debited to the budget head and the amount of Rs. should be met out of the advance from the Contingency Fund sanctioned in Government Memorandum, Finance Department, No. dated the The Head of the Department should ensure that a supplementary demand/appropriation to enable repayment to the Fund is obtained at the first or the second session of the Legislative Assembly as may be practicable, after the date of this order».

Note 2 — Where a part of the expenditure on an item is to be met out of the advance from the Contingency Fund and the rest is to be incurred after obtaining a supplementary demand or appropriation, the following direction shall be added to the order sanctioning expenditure from the said Fund namely:

«The expenditure should be debited to the budget head Out of the total expenditure involved in the order, the amount of Rs. expected to be incurred up to should be met out of the advance from the Contingency Fund sanctioned in Government Memorandum, Finance Department, No. dated The Head of the Department should ensure that for repayment of this advance to the Fund and also for the

rest of the expenditure which cannot be met from the sanctioned grant, a consolidated supplementary demand or appropriation is obtained at the first or the second session of the Legislative Assembly, as may be practicable, after the date of this order».

5. All Bills and Vouchers for the drawal of moneys from the advance from the Contingency Fund shall contain the words «Contingency Fund», prominently written in red ink at the top of the Bill or Voucher. This, however, shall not dispense with the necessity of furnishing the usual classification of the expenditure in the Bill or Voucher, as the case may be.

6. Supplementary estimates for all expenditure so financed shall be presented to the Legislative Assembly after obtaining the prior approval of the Government of India where necessary at the first or second session, as may be practicable, summoned to meet immediately after the advance is sanctioned. As soon as the Legislative Assembly has authorised the additional expenditure by including it in any Supplementary Appropriation Act, the advances made from the Contingency Fund shall be returned to the Fund.

Note 1 — While presenting to the Legislative Assembly estimates for expenditure financed from the Contingency Fund a note to the following effect shall be appended to such estimates:

«A sum of Rs. has been advanced from the Contingency Fund in Govt. Memorandum, Finance Department No. dated and an equivalent amount is required to enable repayment to that Fund».

Note 2 — Where sums withdrawn from the Contingency Fund can be met wholly or partially from the sanctioned grant the demand or appropriation for the recoupment of the Contingency Fund in respect of expenditure incurred in the previous financial year should be for a token amount or only for that portion of the sum which cannot be met from the sanctioned grants. A supplementary demand or appropriation should be obtained as follows:

(i) *New Service*: — The demand or appropriation should be for a token amount or only for that portion of the sum which cannot be met from the sanctioned grant, the amount which can be met from savings in the sanctioned grant being clearly indicated in the explanatory memorandum. A note to the following effect shall be appended to the supplementary statement of expenditure:

«The expenditure is on a new service. A sum of Rs. has been advanced from the Contingency Fund in Government Memorandum, Finance Department, No. dated and an equivalent amount is required to enable repayment to be made to that Fund. The amount can be found wholly/partially by reappropriation of savings within the grant and a demand/appropriation for a token amount/the sum of Rs. which cannot be met from the sanctioned grant is now presented».

(ii) *Other than New Service*: — The demand or appropriation should be for the sum which cannot be met from the sanctioned grant.

Note 3 — In those cases where the supplementary demand/appropriation presented to the Legislative Assembly includes the amount for the repayment of the advance taken from the Contingency

Fund, a note to the following effect shall be appended to such demands:

«Pending the authorisation of the expenditure by the Legislative Assembly for this item a sum of Rs. has been sanctioned from the Contingency Fund in Government Memorandum, Finance Department No. dated and an equivalent amount required to enable repayment to be made to that Fund is included in this Supplementary demand/appropriation».

7. If, in any case, after the order sanctioning an advance from the Contingency Fund has been issued in accordance with Rule 3 and before action is taken in accordance with Rule 6, it is found that the advance sanctioned will remain wholly or partly unutilised, an application shall be made by the Secretary of the Administrative Department concerned to the Finance Department for cancelling or modifying the sanction, as the case may be.

8. A copy of the order, resuming the advance, which shall give a reference to the number and date of the order under which the original advance was made and to the Supplementary Appropriation Act referred to in Rule 6 shall be forwarded by the Finance Department to the Audit and Accounts Officer concerned.

9. An account of the transactions of the Contingency Fund shall be maintained by the Finance Department in Forms C and D appended to these rules.

10. Actual expenditure incurred against advances from the Contingency Fund shall be recorded in the account relating to the Contingency Fund in the same detail as it would have been shown if it had been paid out of the Consolidated Fund.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. B. Nagarajan, Finance Secretary.

FORM «A»

[See Rule 2(ii)]

Application for Advance from the Contingency Fund of the Union Territory of Goa, Daman and Diu for the year

1. Name of the Department.
2. Application No. and Date (Departmental File No.)
3. Brief particulars of the additional expenditure involved.
4. Circumstances in which provision could not be made in the budget.
5. Why its postponement is not possible.
6. The amount required to be advanced from the Contingency Fund with full cost of the proposal for the year or part of the year, as the case may be.
7. Major head, minor head, sub-head and detailed head of account under which the supplementary demand or appropriation will eventually have to be obtained.
8. Name of the Controlling Officer at whose disposal the amount would be placed.
9. Remarks.

FORM «B»

(See Rule 3)

No.

Finance Department,
Secretariat, Panjim.

Subject: — Advances from the Contingency Fund.

An advance of Rs. hereby sanctioned from the Contingency Fund of the Government of Goa, Daman and Diu, for the expenditure to be incurred by the Department on the item mentioned in the margin under the Head of Account mentioned under: —

Particulars of item of expenditure.

Major Head,
Minor Head, and
Sub-head of Accounts.

2. A copy of the application for advance from the Contingency Fund is forwarded herewith.

By order and in the name of the
Administrator of Goa, Daman and
Diu,

Deputy Secretary to the Government
of Goa, Daman and Diu.
Finance Department.

To

- 1) The Director of Accounts.
- 2) Resident Audit Officer.

Copy to: —

3) Department with reference to his
unofficial reference No. dated

FORM «C»

(See Rule 9)

Contingency Fund of the Union Territory of Goa,
Daman and Diu.

Amount of the Fund Rs. 10,00,000

Serial No.	Budget Head	Department concerned and number and date of the application for advance	Number and date of the order sanctioning the advance	Amounts of sanctioned advance	'Actual expenditure' against the sanctioned advance	Number and date of the letter from the Director of Accounts, Panjim, intimating the adjustment for recoupment	Remarks.
1	2	3	4	5	6	7	8

In column 8 the Supplementary Appropriation Act providing for additional expenditure in question may also be mentioned.

FORM «D»

(See Rule 9)

Progressive totals of withdrawals from the Contingency Fund.

Number and date of the orders
sanctioning the Scheme.

Subject

Number and date of the orders
sanctioning the advance.

Amount of advance sanctioned.

Designation of Controlling Officer at
whose disposal the advance is placed.

Major, Minor and Sub-Head to which the expenditure is finally debitale.

Sr. No.	'Number and date' of the report from the controlling officer and the serial number under which it is diarised in the Finance Department §	Amount withdrawn during the month.	Total withdrawal till to-date	Balance in advance from Contingency Fund.	Remarks
1	2	3	4	5	6

§ Serial number under which the Controlling Officers' reports are diarised in the Finance Department should be mentioned in brackets against the number and date of the reports in this column.

Law Department

Notification

The Essential Commodities (Amendment) Ordinance, 1964 is hereby published for the general information of the public.

S. BALAKRISHNAN

Law Secretary.

Panjim, 25th November, 1964.

THE ESSENTIAL COMMODITIES (AMENDMENT) ORDINANCE, 1964

No. 3 of 1964

Promulgated by the President in the Fifteenth Year of the Republic of India

An Ordinance further to amend the Essential Commodities Act, 1955, and the Criminal Law Amendment Act, 1952

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Essential Commodities (Amendment) Ordinance, 1964.

(2) It shall come into force at once.

Act 10 of 1955 and Act 46 of 1952 to be temporarily amended.

10 of 1955.

2. During the period of operation of this Ordinance,—

(1) the Essential Commodities Act, 1955, shall have effect as if after section 12, the following section had been inserted, namely:—

Power to try summarily.

5 of 1898.

«12A. (1) Notwithstanding anything contained in subsection (1) of section 260 of the Code of Criminal Procedure, 1898, any magistrate of the first class specially empowered in this behalf by

the State Government or any presidency magistrate shall try in a summary way all offences relating to the contravention of any such order made under section 3 as the Central Government may by notified order specify in this behalf, and the provisions of Chapter XXII of the said Code shall, as far as may be, apply to such trial:

Provided that in the case of any conviction under this section, it shall be lawful for the magistrate to pass a sentence of imprisonment for a term not exceeding one year.

(2) Notwithstanding anything contained in section 414 of the Code of Criminal Procedure, 1898, there shall be no appeal by a convicted person in any case tried summarily under this section in which the magistrate passes a sentence of imprisonment not exceeding one month or of fine not exceeding two thousand rupees, or both.»;

5 of 1898.

46 of 1952.

(2) the Criminal Law Amendment Act, 1952, shall have effect as if after section 8, the following section had been inserted, namely:—

Power to try summarily.

10 of 1955.

5 of 1898.

«8A. (1) Where a special judge tries any offence specified in sub-section (1) of section 6 alleged to have been committed by a public servant in relation to the contravention of any such order made under section 3 of the Essential Commodities Act, 1955, as may be specified by the Central Government by a notified order made under section 12A of that Act, then, notwithstanding anything contained in sub-section (1) of section 8 of this Act or sub-section (1) of section 260 of the Code of Criminal Procedure, 1898, the special judge shall try the offence in a summary way, and the provisions of Chapter XXII of the said Code shall, as far as may be, apply to such trial:

Provided that in the case of any conviction under this section, it shall be lawful for the special judge to pass a sentence of imprisonment for a term not exceeding one year.

(2) Notwithstanding anything contained in this Act or in the Code of Criminal Procedure, 1898, there shall be no appeal by a convicted person in any case tried summarily under this section in which the special judge passes a sentence of imprisonment not exceeding one month or of fine not exceeding two thousand rupees or both.».

S. RADHAKRISHNAN,

President.

R. C. S. SARKAR,

Secy. to the Govt. of India.

Notification

In exercise of powers conferred by sub-section (2) of section 3 of the Goa, Daman and Diu (Laws) Regulation, 1962, the Lieutenant Governor hereby appoints the 1st January, 1965, as the date on which the provisions of the undermentioned Acts, with the modifications specified in the said Regulation shall come into force in the Union Territory of Goa, Daman and Diu.

SCHEDULE

1. The Motor Vehicles Act, 1939.
2. The Punjab Motor-Vehicles Taxation Act, 1924.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. Balakrishnan, Law Secretary.

Panjim, 1st December, 1964.

Industries and Labour Department**Forest Department****Notification**

The following Check-posts for checking of forest produce in transit have been established by the Forest

Department in the Union Territory of Goa with immediate effect.

S. No.	Name of the check-post	Situation (Taluka)
1.	Mavlinge	Bicholim
2.	Bondir	Bardez
3.	Nagarse-Palwale	Canacona
4.	Agonda	Pernem
5.	Kiranpanim	Pernem
6.	Patradevi	Canacona
7.	Neibaga	Pernem
8.	Betul	Quepem

All the vehicles carrying forest produce should stop at the above Check-posts for facilitating the checking of the forest produce and the Guia or the transit pass should be produced before the Guard in charge of the check-posts and got countersigned. Defaulters will be punished as per rules in force.

G. R. Mavinkurve, Conservator of Forests.

Panjim, 23rd November, 1964.